

ENTERED

November 13, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MARLIN GIPSON,

Plaintiff,

VS.

HARRIS COUNTY SHERIFF'S OFFICE,
et al,

Defendants.

§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. 4:19-CV-2591

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

The Court has reviewed the Report and Recommendations (Instrument No 62 regarding **Instrument No. 45** and Instrument No. 63 regarding **Instrument No. 46**) of United States Magistrate Judge Christina Bryan signed on October 15, 2020.

The Court finds as of November 13, 2020, no objections were filed by either party pursuant to 28 U.S.C. § 636(b)(1)(C) and General Order 80-5, S.D. Texas. Failure to file objections within 14 days after being served with a copy has barred the parties from attacking on appeal the Magistrate's factual findings.


ORDERED, ADJUDGED and DECREED that United States Magistrate Judge Bryan's Memorandum and Recommendations are hereby adopted as follows:

The Defendant's Motion **Instrument No. 46** is **Granted in Part and Denied in Part** as recommended by the magistrate judge. The Defendant's Motion, **Instrument No. 45** is **Granted**, however Plaintiff is **Granted** leave to amend the state law tort claims and false arrest

claims against all Deputy Defendants. The amended complaint must be filed **within ten (10) days of the date of this Order.**

The Clerk of the Court shall provide a true copy of this Order to all counsel of record.

SIGNED on this the 13th day of November, 2020, at Houston, Texas.



VANESSA D. GILMORE
UNITED STATES DISTRICT JUDGE